

CA30N1HWL14


78H16



HAMILTON RESPONSE

REPORT OF THE HAMILTON-WENTWORTH REVIEW COMMISSION

June 1978



Digitized by the Internet Archive
in 2023 with funding from
Hamilton Public Library

<https://archive.org/details/responsetoreport00unse>

RESPONSE
TO THE REPORT OF THE
HAMILTON-WENTWORTH REVIEW COMMISSION

BY

THE CITY OF HAMILTON

Mayor

John A. MacDonald

Controllers

R.M. Morrow
J.A. Bethune

Ian Stout
P.O. Valeriano

Aldermen

Mrs. K. Drage
D.A. Carson
W.M. McCulloch
E. Fisher
Mrs. P. Ford
B. Hinkley
D. Gray
D.T. Lawrence

R. Wheeler
F.A. Lombardo
J. Stowe
Mrs. O.M. Ritchie
H. Merling
T. Meekin
K.M. Edge
J. MacDonald

Chairman, Committee of Elected Representatives:

Mayor John A. MacDonald

Chairman, Committee of Appointed Officials:

W.L. Phillips, B.A.Sc., M.E.I.C., P. Eng.

Consultant

Eric Hardy Consulting Limited

June 5, 1978

JOHN A. MACDONALD
MAYOR



June 2nd, 1978

The Honourable W. Darcy McKeough
Treasurer of Ontario and Minister
of Economics and Intergovernmental
Affairs
Frost Building South
7th Floor
TORONTO, Ontario
M7A 1Y7

Dear Mr. Minister:

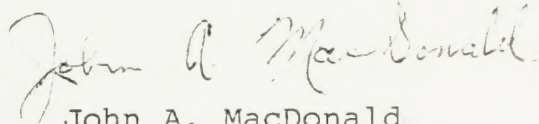
On behalf of the Corporation of the City of Hamilton, I have the honour to present the response of our City to the Report of the Hamilton-Wentworth Review Commission.

As with Hamilton's two submissions to the Review Commission, this response was prepared with the active participation of a committee of senior appointed officials and a committee of Council and was considered at open meetings of Council.

At the conclusion of the meeting of Council on Thursday evening, June 1st, the response in its final form was adopted unanimously and I was instructed, in presenting it to you, to speak to it on Council's behalf.

Be assured of our desire to assist you in every way in the speedy resolution of the Commission's recommended restructuring of Hamilton-Wentworth.

Yours faithfully,


John A. MacDonald
Mayor

JAM/ss

CONTENTS

	<u>Page</u>
OVERVIEW	1
ESSENTIAL CHANGES TO MAKE THE RECOMMENDATIONS ACCEPTABLE	4
Form of Council	5
Taxation and Revenue Raising	9
Library Service Structuring	12
Taxi Licensing	13
Future Staffing	13
IMPLEMENTATION	19

TABLE

Recommendations Specifically Directed Towards Protecting or Strengthening the Positions of the Outer Municipalities	3
---	---

RESPONSE BY HAMILTON TO THE REPORT OF THE HAMILTON-WENTWORTH REVIEW COMMISSION

OVERVIEW

The Hamilton-Wentworth Review Commission Report contains evidence of the extensive research and the comprehensive and balanced coverage of the assignment that the Commission has achieved in the short time allowed for the completion of its work.

The Report is written in a clear and detached manner. The serious disadvantages to the community of the present two-tier structure have been carefully identified and courageously condemned. Not surprisingly, the Report has understated or ignored continuing difficulties that Hamilton has faced in seeking to lend its support to the operation of the two-tier system.

The Review Commission's central recommendation calls for the replacement of the present two-tier system of government by one unified municipal government. The arguments in favour of this basic decision are well marshalled and ably presented. Hamilton believes that the Commission has made a solid case for this fundamental change.

The Report is remarkable in the breadth of coverage of municipal government and unusual in the extent of definitive proposals relating to the future management, operation and financing of local government under the proposed new municipal structure. The Report contains no less than 113 recommendations. More than half of them deal with matters that are not ordinarily the subject of restructuring legislation. Many spell out policy or administrative procedures that the new municipality is advised to follow, without in most cases stating that legislative backing must be the means of effecting the desired courses of action. If these changes were to become the subject of legislation, the statutes would pre-empt substantial discretionary powers that are ordinarily entrusted to municipal governments and that constitute important elements of their expected local autonomy.

The Commission's enthusiasm for improvements in local government operations has led it to recommend certain changes in the powers of the Municipal Board that are intended to speed up the approval of capital borrowing and simplify the required concurrence of the local ratepayers. Six recommendations are devoted to this one subject. Whether or not they would result in an entirely practical form of change is debatable.

In Recommendation 12.1, the Ministry of Community and Social Services is asked to give serious consideration to using the new municipality for a pilot project under which administration of provincial family benefits and municipal general welfare assistance would be combined under the local Social Services Department. Plainly in this instance the Commission's enthusiasm goes to undesirable lengths. To embark upon a pilot project of this extent concurrently with the introduction of a new municipal structure would add unnecessarily to the difficulty of achieving a speedy and relatively harmonious transition. While we acknowledge and support the idea of such a test, another municipality or a later time can surely be chosen to try out this idea.

The Report goes to elaborate lengths to safeguard the position of the five outer municipalities that would be joined with Hamilton in a new city. Aside from the recommended name, as to which we have been pleased to learn that the name Hamilton will remain, we have identified (Table 1) 40 recommendations that seem designed to protect or strengthen existing arrangements of benefit to the present towns and townships. These include four provisions relating to form of council, six to future staffing, 23 to taxation and revenue raising, one to library service structuring, one to taxi licensing and five to the future use of municipal buildings.

There is, we acknowledge, reason to afford some protection to the present outer municipalities as parts of a successor municipality. Our concern is the patently excessive measures that are being recommended. The proposed benefits to the outer areas would be much greater than are warranted. Furthermore it is important that any arrangements that are enshrined in legislation do not greatly prolong, or perpetuate, benefits to the outer areas that result in turn in injustices to the citizens and taxpayers of present Hamilton and thereby buttress the very differences

TABLE

RECOMMENDATIONS SPECIFICALLY DIRECTED
TOWARDS PROTECTING OR STRENGTHENING
THE POSITIONS OF THE OUTER MUNICIPALITIES

<u>Subject</u>	<u>Recommendation Number(s)</u>	<u>Number of Recommendations</u>
Name	4.7	1
Form of Council	4.4, 4.5, 4.6, 4.9	4
Future Staffing	14.5, 14.6, 14.7, 14.8, 14.9, 14.14	6
Taxation and Revenue - Raising		
Urban-Rural Tax Differential	7.8, 7.9, 7.10, 7.11, 7.12, 13.10	6
Area Rating Charges	7.13, 7.14, 9.3, 9.5, 10.1, 10.2, 10.4, 10.10, 11.2, 12.3	11
Use of User Charges	9.1, 9.2	2
Allocation of Grant Revenues	7.19	1
Phasing in Tax Increases	14.18, 14.19	2
Disposal of Year-End Operating Balances	14.22	1
		<hr/> 23
Library Service Structuring	13.6	1
Taxi Licensing	10.12	1
Use of Municipal Buildings	4.18, 6.2, 8.5, 8.8, 13.1	<hr/> 5
		<hr/> <hr/> 41

between "them and us" that the recommended restructuring is intended to eliminate over the long-term.

Hamilton sees in the distinctions that the Commission would make between the areas now within and outside the City of Hamilton the first of two cardinal weaknesses in the recommendations for change.

The second glaring weakness we see is in the Commission's expressed attitude to future municipal staffing of the new unified municipality. If legislation passed in June followed the Commission's dictates, the job security of all present employees of the Region and the six area municipalities would come to an end on March 31, 1979, subject to six months' severance pay. In Hamilton's opinion, such short shrift is both unwarranted and unnecessary in order to achieve the desired municipal unification. To effect reductions in staffing in the long-term is an expected and important benefit of the proposed restructuring. To endeavour to achieve them through a crash program would involve a cruel and inhuman attack on the lives of loyal civic workers, many of whom have actively promoted the recommended restructuring, notwithstanding the risk it has presented to their own future job security.

ESSENTIAL CHANGES TO MAKE THE RECOMMENDATIONS ACCEPTABLE

In studying the Report, Hamilton has concentrated upon identifying the minimum extent of change that is needed to make the recommendations acceptable to this municipality.

The recommendations put forward by the Commission to protect and strengthen the positions of the present outer municipalities are of two kinds. The first would give them representation, initially on the Steering Committee, and subsequently on the council of the new municipality out of all proportion to their populations. The second would legislate to guarantee them tax and service benefits on a continuing basis. In effect, therefore the residents of the former Wentworth municipalities would be doubly protected. They would begin with statutory guarantees

that would reinforce their present favoured positions: they would be able to obtain fresh benefits from the new municipality through their numerical strength on council.

The term of each proposed benefit to the residents and taxpayers outside the present City is not in all cases entirely clear from the Report. Some might soon be eliminated. Others would last for two terms of council, which in the Commission's view should be a period of six years. At the end of that time some would disappear, others would have become entrenched and continue in effect for a time, still others would remain in effect for an indefinite term. In other words the system of special benefits would be expected to prevail for a longer time span than the life of the present regional government.

Hamilton's position is that no benefits should extend longer than one three-year or two two-year terms of council and that all should either be terminated outright or be subject to review and revision by a body like the Municipal Board at the end of the stated time. Hopefully a period of three to four years will greatly reduce the existing cleavage between Hamilton and the other area municipalities, making it possible for the municipal council of that day to exercise its responsibilities with equal regard for the legitimate interests of citizens and taxpayers in all parts of the new municipality.

Form of Council

1. Hamilton supports the broad concept for the organizational structure of the new municipality enunciated in the Report including:

- i) a mayor elected by general vote
- ii) 27 aldermen elected by single-member wards
- iii) the appointment by council from its members of appropriate committees of council, including provision for an executive-type committee, known as the

Policy and Finance Committee, charged with the responsibilities set forth in the middle paragraph of page 71 of the Report, and a number of other standing committees of council on each of which the members of the Policy and Finance Committee would be represented

iv) a chief administrative officer.

2. Hamilton opposes adherence to the existing municipal boundaries in the design of the new ward structure for council elections because such an arrangement will help keep alive the current differences between the present city and non-city municipalities. Nevertheless Hamilton is prepared to accept a temporary separation of wards, within practical limits, provided it is terminated after one three-year or two two-year terms of council, whichever becomes applicable.
3. Hamilton is not persuaded of the logic of foregoing the accepted method of choosing the mayor for the first term of the new council. Election of the mayor at large is intended to ensure that the person chosen is capable of serving as the larger city's chief executive officer and of fulfilling the ceremonial responsibilities of the office. By opening the position to any one of 27 aldermen, elected from single-member constituencies ranging in population from 28,000 to as little as 3,000, and by substituting under the current strained circumstances nomination and election by members of council for the test of the ballot box, the suitability of the person chosen for this high office would be rendered much less predictable. Even if the range of ward populations is greatly narrowed, the essential problem remains. The choice could fall upon someone who becomes little more than the pawn of those who have placed him in office and who is quite incapable of commanding wide public support and respect. The proposal to require such a person to continue to represent the ward from which he was elected while endeavouring to live up to the demanding office of mayor under exceptionally challenging and difficult conditions would make the potential consequences even more disastrous.

The Municipal Elections Act, 1977, will permit the new municipality to limit election spending and to require the disclosure of individual contributions over \$100. The exercise of this power by the new municipality would be a desirable feature of the new electoral arrangements.

4. Hamilton finds the proposed 14 to 13 split in representation between the present city and non-city areas entirely unacceptable. It certainly would not in reality ensure to Hamilton the majority on council that the Commission says it intends. The uncertain situation would be accentuated if the first mayor were to be chosen from among the elected aldermen.
5. In 1976 Hamilton accounted for 76.2 per cent of the Region's population (page 21 of the Report). The assessed population in 1977 placed 75.8 per cent of the population within Hamilton and 24.2 per cent elsewhere. By contrast, the present split of representation gives the City only 63.0 per cent of the representation and the former county areas 37.0 per cent.

The Commission's proposed apportionment of representation of 14 to 13, works out to 51.8 per cent for Hamilton and 48.2 per cent for the remaining areas. In other words, the representatives from outside Hamilton would be accorded voting strength that is almost exactly double their share of the population. Hamilton is prepared to make some reasonable concessions to the outer areas but will not countenance such an extreme departure from representation by population.

Hamilton is prepared to accept a continuation of the existing geographic weighting of representation that at present exists between the representatives of the city and non-city municipalities on the Regional Council, that is, 17 to 10.

6. Hamilton recommends a relatively simple change that will suffice to reduce the number of proposed wards outside the City from thirteen to ten. The change is facilitated by the fact that the population estimate for Glanbrook appearing in the Commission's Report is 12,000 whereas the actual population has been confirmed by a former researcher of the Commission and an official of the Glanbrook administration as almost precisely 10,000.

The desired reduction in the number of wards can be accomplished in this way:

- i) Combine the two proposed Glanbrook wards to produce a single ward of 10,000.
 - ii) Combine the two proposed urban wards in Ancaster to produce a single ward of 11,000.
 - iii) Combine the proposed Jerseyville ward in Ancaster with a portion of the proposed Beverly ward in Flamborough enclosed by a line extending along the fifth concession line of the former Beverly Township from its easterly boundary to Highway 52, thence northerly along Highway 52 to Regional Road 1, thence westerly along Regional Road 1 to Lot Line 11-12 in Concession 7 and thence northerly to the Township boundary, to produce a ward of 7,500.
 - iv) Re-divide the remainder of Flamborough to bring all of the former Township of East Flamborough within the proposed Waterdown ward and to place the remaining territory, other than the lands adjacent to Clappison's Corners, within the proposed Flamborough ward, resulting in populations respectively of 10,500 and 9,000.
7. It is possible, if so desired, also to achieve a closer balancing of population among the three Stoney Creek wards. Any such change is of prime concern to the people of Stoney Creek and is offered merely as a suggestion by Hamilton. What might be done is to transfer to the Saltfleet ward lands south of Highway 8 from Gray's Road on the west to Jones Road on the east. Such a change will produce ward populations approximating 11,000 for Stoney Creek ward, 10,800 for Winona ward and 10,000 for Saltfleet ward. Within the last-named ward, population would be almost evenly divided between lands south of Highway 8 above and below the escarpment.
8. With respect to the required wards within present Hamilton, the City Council on June 1st last instructed the City Clerk, as Returning Officer for the municipality, to proceed with a division of the present City into 17 wards and to make this information available to the Ontario Minister of Treasury, Economics and Intergovernmental Affairs.

Council is proposing also to develop recommended names for each of the 17 wards.

9. It is Hamilton's strong view that determination of the appropriate number of standing committees and, with the exception of the Policy and Finance Committee, the assignment of responsibilities to them should be in the discretion of the new council.
10. While the Policy and Finance Committee should, Hamilton agrees, have representation on each of the other standing committees, the chairman of each such committee in Hamilton's submission should be appointed by council from all its members, including those members of Council comprising the Policy and Finance Committee.
11. Hamilton proposes further that the number of aldermen to be named to any standing committee of council, including the Policy and Finance Committee, should likewise be in the discretion of the new council.

Taxation and Revenue Raising

1. Hamilton endorses the principle of applying differential taxes and rates in order "to ensure that those areas benefiting from services will pay for them" (Recommendation 4.19). However Hamilton contends that provisions available under existing legislation will go a long way towards providing a basis for equitable assessment and taxation including:
 - a) the alternative permitted methods of paying for water, sanitary sewerage and other utility-type and revenue-earning services
 - b) local improvement-type financing
 - c) the authority given the Municipal Board under Section 14(12) of the Municipal Act to make orders defining or altering urban service areas and apportioning the cost of

urban services within such areas

- d) the requirement placed upon municipalities under Section 29 of the Assessment Act to pass by-laws granting partial exemption from taxation to farm lands in blocks of five or more acres that are not benefited to as great an extent as other lands by the expenditures of moneys on specified services
- e) the Province's farm tax reduction program and its managed forest tax reduction program.

Furthermore, the introduction of market value assessment and the latest proposed tax reforms should, in Hamilton's opinion, satisfy the remaining requirements needed for the new city to achieve the desired equity of treatment of its people in relation to continuing service differences between its rural, suburban and urban areas.

2. Hamilton flatly rejects the proposal of the Commission to include social benefits among services to be area rated in the new municipality, namely:

- i) subsidization of bus fares for the elderly and students
- ii) special tax assistance to the elderly
- iii) dental treatment, and
- iv) neighbourhood improvements.

Hamilton takes the view that:

- i) No distinction whatsoever should be made in the availability of social benefits between one part of the municipality and another.
- ii) In accordance with the above principle, the new council should decide upon the future of each existing benefit now available within the present City of Hamilton and should make

whatever benefits it authorizes available
throughout the larger city.

- iii) Such universal benefits should not come
under area rating.

Hamilton is however prepared to have the 50 per cent rural-urban tax differential apply to those social benefits that the new council authorizes during the life of the rural-urban tax differential legislation.

- 3. Hamilton is prepared to accept the proposal for legislation to limit taxation for certain specified purposes in designated rural areas to 50 per cent of the tax rate for these services in the urban area (or areas) provided that

- a) any power given to the new municipality to vary the 50 per cent differential by by-law of council allow the differential to be either increased or decreased.
- b) the legislative differential, as it may have been varied by council, be subject to review by the Municipal Board after three years, with due concern for all differentials of taxes and rates then in effect or presented to the Municipal Board for approval, with a view to deciding the need for retention by special legislation of this rural-urban differentiation.

- 4. Hamilton is prepared to see comprehensive area rating proposals introduced by the new council provided they take the form of an urban service area by-law requiring Municipal Board approval and are subject to future alterations in the usual manner by later application to the Board. Hamilton is further prepared to have the legislation require that the new council consider for area rating all items favoured for such treatment in the Commission's Report with the exception of the social benefit items listed above and library services.
- 5. Hamilton proposes that the requirement to finance water and sanitary sewerage

services on a common user-pay basis apply for a period of three years and thereafter that the method of financing such services lie in the discretion of council subject to the controls then contained in the ordinary statutes.

Library Service Structuring

1. In its evaluation of the Hamilton library system, we note first that no acknowledgement was made of the fact that the position of chief librarian was vacant at the time of the review, resulting in some unavoidable limitations upon library operations. Next we question whether the statistics on libraries presented in Table 13.2 on page 202 of the Commission's Report provide for a ready comparison between the municipalities shown, having regard for the responsibilities assumed by the Hamilton Public Library to the South Central Regional Library System both as the designated Resource Centre Library for this large region and under contract to manage the South Central Region's inter-library loan service. Finally, we wonder if proper account has been taken of the time of the library staff taken up recently in planning a modern six-storey library to replace the present central library.
2. Be all this as it may, Hamilton is firmly convinced that retention of three separate library systems would run counter to the objectives of the recommended municipal merger and that area rating of library expenditures would not be fair, in light of the fact acknowledged by the Commission "that inter-library cooperation places the entire library resources of the Region at the disposal of all residents" (page 203 of the Report).
3. Hamilton therefore urges that the new council be permitted, and encouraged, to proceed as quickly as is practicable with the merger of the three library systems, with due regard for the preservation of the high quality library services being furnished within the present Town of Dundas and the desirability of incorporating the best features of all three systems into a unified library service.

Taxi Licensing

1. The Review Commission has identified two difficulties to be overcome in the licensing of taxicabs as a prerequisite to unified control over the operation of the taxi services. It is feared that a single uniform licensing arrangement might have the effect of reducing the available taxi services in certain parts of the new municipality. There is concern also to treat taxicab operators and existing applicants for new taxicab licences fairly in relation to the length of time it now takes to get a licence in Hamilton and the high value of that licence, once obtained. Hamilton has no quarrel with the identification of the problems, but is much disturbed by the proposed solution--to maintain area of service limitations upon the present taxicab operators.
2. Hamilton proposes that all existing taxicab operators be entitled to pick up passengers anywhere throughout the new city on condition that the base of operations of each operator remains unchanged for three years from the effective date of merger, except with the permission of the licensing authority.
3. Hamilton also proposes that the licensing authority review all applications for new licenses within each of the present six area municipalities and develop a consolidated list of applications for processing.

Future Staffing

Hamilton is deeply concerned by the vulnerable position in which civic personnel of the seven existing municipalities would find themselves if the actions on staffing advanced by the Commission were to be followed to the letter.

The Report stresses that "the new city should be able to provide the same level of service....to the residents....at lower cost. The savings will result from the removal of some of the duplications inherent in the present two-tier structure and from a consolidation of the professional management skills already available within the area." (Page 131). The urgency that the Commission attaches to bringing about the recommended municipal unification and realizing the desired

savings would seem to have blinded its members to the cruel consequences that restructuring can have for municipal career people. They can be left as helpless as chips of wood being carried downstream on a fast flowing river.

Later in the Report the Commission states:

Not all persons now employed by the seven municipalities that make up the Region will be retained by the City of Wentworth. The Commission's views that efficiencies can be achieved in general government by a move from seven municipalities to one means that staff reductions can occur without any disruption in services. It is of great importance, however, that decisions respecting staffing be made in the fairest way possible and that adequate notice and severance pay be provided. (Page 212).

Unfortunately the pursuit of efficiencies--in itself, a highly important objective--appears to dominate the Commission's thinking, for fair treatment of staff is not fully covered by 'adequate notice and severance pay' together with assistance towards early retirement, the remaining subject of the Commission's concern. Furthermore, the so-called adequate notice would merely ensure persons, who have not received new appointments by January 1, 1979, employment at their present salaries until March 31, 1979, if they are prepared to work "in any capacity assigned to them" while pursuing remaining unfilled positions. At that point in time, if they are not required, they would be given six months' severance pay, presumably in lieu of notice. (Page 212).

We have reviewed the sixteen restructuring acts passed by the Province from 1953 onward, and we have observed that it has become the standard practice to provide in legislation for the continuation of employment within the restructured municipality or municipalities for a full year from the day (usually January 1st) on which the restructuring becomes operational. Such a provision is contained in all the Acts concerned except the first Act establishing the Municipality of Metropolitan Toronto. Hamilton's proposals relating to job security for permanent personnel

of the seven existing municipalities are built upon this standard undertaking in Provincial legislation. To it have been added further measures that appear appropriate, firstly, in relation to the uncertain economic times in which the restructuring will proceed and, secondly, in acknowledgement of the justice of a humanitarian approach to man management.

Recommendation 14.14 proposes that existing staff employed by the Region continue to be employed in the same capacity by the new municipality while a review of all positions in the area is under way. Although the intention is that, "where possible", all positions should ultimately be filled from the best-qualified employees in the total staff of all seven municipalities, the temporary advantage gained by the personnel of the Regional Municipality seems certain to frustrate that objective to some degree. There is nothing so permanent, we suggest, as a temporary appointment to an important municipal position. And there is neither need nor justification for giving the staff of the present Region preferential treatment.

Another proposal for the staffing of the new city cannot help but bias the selection process. A Steering Committee, comprised of one representative each from the seven existing municipalities would be constituted and provided with staff services by the chief administrative officer of one of the existing municipalities, i.e., the Regional Municipality of Hamilton-Wentworth. The Steering Committee would function from the passage of the Bill (about the end of June) until the election of the new council (early in October), a period of about three months.

It is not merely that Hamilton, with 76 per cent of the population and more than half the total staff complement in the area, would have only one representative among seven on the committee responsible for developing a plan for staff selection by the new municipality. There is also the fact that such a committee, if composed of elected representatives, would be expected to function while those same representatives were trying to keep on top of their existing responsibilities, hoping to take some holidays and campaigning hard for a place on the new council. Furthermore, when the new council is elected, we may find that a majority of the Steering Committee members have become defeated candidates. What weight is the new

council to give to their words? It would of course be even less suitable to name appointed municipal personnel to the Steering Committee.

In Hamilton's opinion, the simple fact is that no Steering Committee chosen from the seven existing municipalities can deal dispassionately with recommendations for the staffing of the successor municipality. No body that could be created would be able to read the mind of the unborn council. Therefore the Committee cannot hope to formulate what is required. Only the new municipality itself can do the job. Moreover, the other work that could be assigned to the Steering Committee, seeing to the gathering of information for the benefit of the new municipality, can better be left to the Province's direction.

These introductory statements lead us to present the following proposals for staff selection and the furtherance of security of employment among present personnel. While it may not be appropriate to enshrine all nine points in legislation, each should form part of the plan of action of the new municipal council.

1. Hamilton strongly opposes any official or unofficial action towards creation of an administrative structure or selection of staff for the new municipality until the new council has been elected. Hamilton therefore opposes the assignment of interim responsibilities to a Steering Committee or any other body or person.
2. Hamilton recommends that the new council assume full and direct responsibility for creating a new administrative establishment and undertaking its own selection and appointment of personnel with no automatic transfer of staff from the present Regional Municipality or any area municipality prior to the concurrent dissolution of these municipalities and that the new council proceed with the appointment of a chief administrative officer ~~after~~ first receiving a recommendation on the matter from its Policy and Finance Committee. Election of members to this Committee, a body required by statute, should be the initial action to be taken by the new council.
3. Hamilton proposes that the new council next proceed to approve an administrative and committee structure, developed and recommended by its Policy

and Finance Committee in consultation with the chief administrative officer.

4. Hamilton proposes that the Policy and Finance Committee then proceed to recommend further staff appointments to council, in consultation with the chief administrative officer, covering senior personnel who report directly to the chief administrative officer. Among the earliest positions to be recommended to council would be that of clerk, treasurer and director of personnel.
5. Hamilton proposes that legislation establishing the new municipality require the new municipality to offer to employ, up to and including December 31, 1979, every person who on April 1, 1978 is employed and who continues to be so employed until December 31, 1978 by the Regional Municipality, one of the area municipalities or a local board whose functions are being assumed by the new municipality, at a wage or salary not less than that of April 1, 1978. All the other terms of employment of each such person including, but not limited to, sick leave credits, vacation, statutory holidays, pension or superannuation rights and group insurance benefits, if any, shall not be less favourable to the person concerned than those he or she has enjoyed in the employment of the former employer.
6. Hamilton proposes legislation providing that the seniority of all employees recognized by their present employers be recognized and carried forward without discrimination by the new municipality.
7. Hamilton proposes that the new municipality consider and respond to submissions from any of the seven present municipalities or their local boards respecting the rights and terms of employment of permanent employees whose service commenced later than April 1, 1978 or was interrupted after that date.
8. Hamilton proposes that legislation specify that the new municipality appoint as its director of personnel a person who, in addition to his customary duties, is responsible through the chief administrative officer to the Policy and Finance Committee for assisting, on request, those members of staff for whom the new municipality may not be able to provide continuing career opportunities by

- a) exploring ways of facilitating early retirement for persons who are close to retirement age and who may wish to consider such an option
- b) providing job counselling services
- c) providing job placement assistance
- d) finding ways of expediting job applications, interviews and moves to other centres for employment
- e) arranging where desirable continuation of existing pension rights covering personnel taking new positions outside the civic service.

9. In addition to the above benefits and forms of assistance available to present staff, Hamilton proposes that the new municipality be required by legislation to grant one month of severance pay for each year of permanent service before transfer to the new municipality to a maximum of twenty-four months' severance pay to any person not offered employment under the terms of items 5 or 7 above, and to provide that, for pension purposes, the person is deemed to be employed for the period covered by the severance pay.

Hamilton believes that significant reductions in the total number of personnel are to be expected as a result of the merger of the present seven municipalities. Hamilton does not regard it as practical to support the concept of protecting indefinitely the job of each present municipal employee. While there may in some circumstances be justification for continuing the employment of certain personnel at salary or wage levels not warranted by the work to which they are assigned, such artificial arrangements are acknowledged to be damaging to the morale of the persons concerned and detrimental to the productivity and morale of the civic service. It is to reduce insofar as possible unsatisfactory conditions of employment that Hamilton urges the new municipality to take the needed time and trouble to expedite in every way possible alternative employment opportunities or reasonable retirement arrangements for all surplus personnel.

IMPLEMENTATION

1. Hamilton urges the Province to proceed with all dispatch in drafting legislation with a view to providing for the election of the new council in early October and granting that body the authority to recruit personnel and make other necessary arrangements to assume the operating responsibilities of municipal government throughout the present Hamilton-Wentworth Region effective January 1, 1979.
2. Hamilton has not endeavoured to secure the views of its members of Council on the many recommendations contained in the Report except with respect to those recommendations that in the opinion of Council would, if implemented, seriously prejudice the interests of citizens and taxpayers or the well-being of civic personnel in any part of the present Region. It is Hamilton's conviction that the interests of all these people are truly protected when the measures that are introduced deal fairly with the rights and expectations of all without regard for where within the Region people live, where they may own or occupy real property and which municipal corporation provides certain of them with employment.
3. With respect to the remaining recommendations on which this submission is silent, Hamilton leaves it to individual members of Council who so wish to make their own submissions to the Provincial Minister or to reserve the expression of their views for the forthcoming municipal election and the subsequent deliberations of the new council. Among the recommendations on which Hamilton remains silent are a number that would convey benefits upon the people of the surrounding towns and townships that in our collective view are not unreasonable.
4. Hamilton urges the Province to limit the extent of direction included in the new legislation to matters that are deemed essential in order to accomplish the restructuring and to safeguard the Provincial public interest and to leave decision wherever possible on implementation procedures and on the direction of the new administration to the new council.

5. Once legislation has been passed to provide for the municipal restructuring Hamilton urges the Provincial Government to exercise control over new hiring and the sale of assets among the seven existing municipalities.
6. Hamilton further proposes that the Provincial Government instruct all seven clerks of the present municipalities to assemble all information that the Province believes will be of benefit in establishing the new municipality including information obtained from all local boards associated with the present municipalities. This action will eliminate any remaining argument for setting up a Steering Committee.

*

*

*

HAMILTON PUBLIC LIBRARY



3 2022 21292587 5

URBAN/MU